

State of South Dakota

EIGHTIETH SESSION LEGISLATIVE ASSEMBLY, 2005

754L0704

SENATE BILL NO. 215

Introduced by: Senators Lintz, Apa, Broderick, Duniphan, Hanson (Gary), Napoli, Peterson (Jim), and Sutton (Duane) and Representatives Sebert, Hackl, Haley, Hennies, Jensen, Kraus, Krebs, Novstrup, Pederson (Gordon), Street, and Turbiville

1 FOR AN ACT ENTITLED, An Act to refer a measure to a vote of the electors to require that
2 public schools begin the regular school term after Labor Day.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That at the next general election held in the state, the following measure
5 proposing to amend § 13-26-2, which is hereby agreed to, shall be submitted to the electors of
6 the state for approval:

7 "FOR AN ACT ENTITLED, An Act to require that public schools begin the regular school
8 term after Labor Day.

9 BE IT ENACTED BY THE PEOPLE OF SOUTH DAKOTA:

10 Section 1. That § 13-26-2 be amended to read as follows:

11 13-26-2. The school board or governing body shall operate kindergarten through grade
12 twelve in its schools. The school board shall operate grades one through twelve for at least a
13 nine-month regular term in any one school year, and the number of hours in a school term for
14 kindergarten shall be set pursuant to § 13-26-1. The regular school term may be conducted on
15 a year-round basis and shall begin on ~~a date established by the school board~~ the first Tuesday



1 after the first Monday in September. The Board of Education shall promulgate rules pursuant
2 to chapter 1-26 governing the operation and scheduling of year-round schools. Any school board
3 or governing body may release graduating high school seniors from school before the end of the
4 regular term. Make up time for school closing because of weather, disease, or emergency need
5 not exceed ten school days. Graduating seniors are excused from make up time if the make up
6 time occurs after the students have graduated or after graduation exercises have been held. If
7 classes have been convened and then are dismissed, or if classes convene at a time later in the
8 day than normal, because of inclement weather, that day constitutes a school day in session
9 equal to the number of hours planned for that day as established in the local school district
10 calendar for the year.

11 School boards are encouraged to provide time within the regular school term for curriculum
12 and staff development which shall be in addition to the time required in this section. Each
13 school board shall determine the appropriate amount of time for this activity and how best to
14 use the time based on local needs for program development, increased parent participation,
15 student contact, teachers' preparation, or other needs of the schools in the district. School is in
16 session only when classes are held and as provided in §§ 13-26-4 and 13-26-4.1. A school board
17 may operate a special term during the summer months."